THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.19714 of 2006

Dated:09-10-2006

Between:

Kurati Eswara Rao.

..... PETITIONER

AND

The Revenue Divisional Officer, Amalapuram, and another.

.....RESPONDENTS

THE HON'BLE SRI JUSTICE V.V.S. RAO

WRIT PETITION No.19714 of 2006

ORDER:

The petitioner is son of one Vadapalli, resident of Pashuvulalanka Shivaru, Bankolu Thundi Village of I. Polavaram Mandal in East Godavari District. His father statedly occupied Acs.2.20 cents in survey No.516 of said Village long back and they have been cultivating the same.

It appears that in October, 2004, Mandal Revenue Officer (MRO), I. Polavaram, conducted enquiry with regard to the possession, but no orders were passed. However, when there was threat of dispossession, the petitioner filed writ petition, being W.P.No.8928 of 2005 seeking a direction to the respondents to consider his case for assignment of said land. This Court disposed of said writ petition on 21-04-2005 directing MRO to pass appropriate orders in accordance with law within a period of four weeks. As such orders were not passed, the petitioner filed present writ petition again seeking a direction to the respondents to issue D form patta in his favour.

The matter was initially listed on 22-09-2006 and at the request of the learned Assistant Government Pleader for Revenue (Assignment), the same was adjourned. Today, the learned Government Pleader submits that by endorsement Ref.A/255/2006 dated 06-09-2006, MRO rejected the request of the petitioner for assignment. A copy thereof is placed before this Court. The learned counsel for the petitioner is also supplied with a copy of the same. The petitioner is, therefore, given liberty to avail the remedy of filing an appeal before respondent No.1 seeking assignment. If he is still in possession, which is now denied in the endorsement dated 06-09-2006, there shall be *status quo* as on today. If he is not in possession of the land, he shall not interfere with the possession of any person to whom the land was allegedly assigned subsequently.

The writ petition, with the above observations, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

9th October, 2006

ghn